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FOUNDED 1927

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June 28, 2005

Honorable Clifford Taylor
Chief Justice
Michigan Hall of Justice
P.O. Box 30052
Lansing, MI 48909

Dear Justice Taylor,

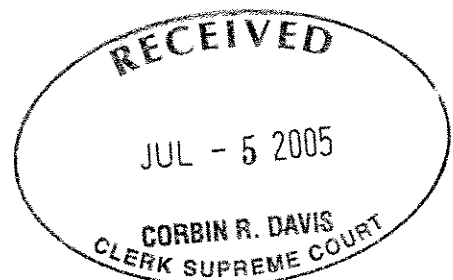
Enclosed please find MJA's revision of Proposed MCR 3.211.

This revision was passed unanimously at the last Executive Meeting of the Michigan Judges Association.

In summary, the MJA Executive Board would like to recommend that the Supreme Court adopt these proposed rules under MCR 3.211.

Very truly yours,

Honorable Robert M. Ransom
President MJA



Proposed Amendment of Rule 3.211(D) and (F) of the Michigan Court Rules

(A) [unchanged]

(B) [unchanged]

(C) A judgment or order awarding custody of a minor must provide that:

- (1) the domicile or residence of the minor may not be moved from Michigan without the approval of the judge who awarded custody or the judges' successor;
- (2) the person awarded custody must promptly notify the friend of the court in writing when the minor is moved to another address; and
- (3) a parent whose custody or parenting time of a child is governed by the order shall not change the legal residence of the child except in compliance with section 11 of the Child Custody Act of 1970, MCL 722.31.

(D) Uniform Support Orders

- (1) Any provisions regarding child support or spousal support must be prepared on the latest version of the Supreme Court Administrative Office's approved Uniform Support Order. This order shall accompany any judgment or order affecting child support or spousal support, and both documents must be signed by the judge. If only child support or spousal support issues are modified, then only the Uniform Support Order needs to be submitted to the court for entry. The Uniform Support Order shall govern if the terms of the judgment or order conflicts with the Uniform Support Order.
- (2) No judgment or order concerning a minor or a spouse shall be entered unless either:

- (a) The final judgment or order incorporates by reference a Uniform Support Order covering support, or
 - (b) The final judgment or order states that no Uniform Support Order is required in that case because support has been reserved or spousal support has not been ordered.
- (3) When a Uniform Support Order is submitted for entry along with a related judgment or order, only one judgment entry fee shall be assessed.
- (E) [old subsection E deleted; replaced with former subsection F]
- (F) Entry of Judgment or Order
 - (1) Within twenty-one (21) days after the court renders an opinion or a settlement agreement is placed on the record, the moving party must submit a judgment, order, or a motion to settle the judgment or order, unless the court has granted an extension.
 - (2) The party submitting the first proposed judgment or temporary order awarding child custody, parenting time, child support, or spousal support must:
 - (a) serve all other parties and the friend of the court office with a completed copy of the latest version of the State Court Administrative Office's Domestic Relations Judgment Information form, and
 - (b) file a proof of service certifying that the Judgment Information form has been provided to the parties and the friend of the court office.
 - (3) If the court modifies the proposed judgment or order before signing it, the party submitting the judgment or order must submit a new Judgment Information form if any of the information previously submitted changes as a result of the modification.

- (4) Before it signs a judgment or order awarding child support or spousal support, the court must determine that:
 - (a) The party has certified that the Judgment Information Form in subrule (F)(2) has been submitted to the Friend of the Court.
 - (b) Any judgment or order concerning a minor or a spouse is accompanied by a Uniform Support Order or explains why a Uniform Support Order is unnecessary pursuant to subrule (D)(2).
- (5) The Judgment Information form must be filed in addition to the verified statement that is required by MCR 3.206(B).
- (G) [relettered but otherwise unchanged]
- (H) [relettered but otherwise unchanged]